

MAR 02 2006

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PATENT, TRADEMARK, COPYRIGHT  
AND UNFAIR COMPETITION LAW  
AND RELATED LITIGATION

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EDWARD B. EVANS 1936-1971

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March 2, 2006

## FACSIMILE COVER SHEET

To: Examiner Joseph D. Manoskey  
Art Unit 2113  
Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22213-1450

From: Douglas A. Scholer  
Reg. No. 52,197

Re: U.S. Patent Application  
Serial No. 09/932,140  
Filed: August 17, 2001  
Applicant: Brian Eric Bakke et al.  
Art Unit: 2113  
Confirmation No.: 5139  
Our Ref: IBM/178

Fax: 571-273-8300

Pages: 12 (including cover sheet)

Enclosures:  
Fax Cover Sheet containing Certificate of  
Facsimile Transmission (1 page)  
Transmittal containing Certificate of Facsimile  
Transmission (2 pages)  
Amendment and Response (9 pages)

MESSAGE/COMMENTS  
OFFICIAL

## CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this correspondence and the enclosures noted herein (12 total pages, including cover sheet) are being transmitted via facsimile transmission to Examiner Joseph D. Manoskey, Art Unit 2113, Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22213-1450 at 571-273-8300 on March 2, 2006.

*Judith L. Volk*  
Judith L. Volk

*March 2, 2006*  
Date

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## PATENT

Att'y Docket No. IBM/178/124  
Confirmation No. 5139

**CERTIFICATE OF FACSIMILE TRANSMISSION**

I hereby certify that this correspondence and the enclosures noted herein (12 total pages, including cover sheet) are being transmitted via facsimile transmission to Examiner Joseph D. Manoskey, Mail Stop AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 at 571-273-8300 on March 2, 2006.

*Judith L. Volk*  
Judith L. Volk

*March 2, 2006*  
Date

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brian Eric Bakke et al.  
Serial No.: 09/932,140  
Filed : August 17, 2001  
For : METHOD AND APPARATUS FOR PROVIDING REDUNDANT ACCESS TO  
A SHARED RESOURCE WITH A SHAREABLE SPARE ADAPTER

Art Unit: 2113  
Examiner: Joseph D. Manoskey

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**AMENDMENT TRANSMITTAL**

1. ☒ Transmitted herewith is an Amendment and Response.
  2. ☐ Small Entity status of this application under 37 CFR 1.9 and 1.27 has been established by a verified statement previously submitted.
  - ☐ Enclosed is a verified statement to establish Small Entity status
  - ☒ Other than a Small Entity
3. The fee has been calculated as shown below:

**CALCULATION OF FEES**

Fee:	Number of Claims After Amendment:		Previously Paid For:	No. Extra:		At Rate: Amount:
Total Claims	29	minus	30	0	\$50	\$0.00
Independent Claims	3	minus	3	0	\$200	\$0.00
MULTIPLE DEPENDENT CLAIM FEE					\$360	\$0.00
TOTAL FEE FOR CLAIMS:						\$0.00

- ☒ No additional fee for claims is required.

Page 1 of 2  
Serial No. 09/932,140  
Transmittal for Amendment of March 2, 2006  
IBM Docket: ROC92000284051  
WH&E IBM/178  
E:\work\IBM\Amendment\Transmitted re 12-2-02 Q1.mpd

4. ☐ Attached is a check in the sum of \$\_\_\_\_\_ for additional claims.  
☐ Please charge my Deposit Account No. 23-3000 in the amount of \$\_\_\_\_\_.
5. The proceedings herein are for a patent application and the provisions of 37 CFR 1.136 apply. Complete (a) or (b) as applicable.

- ☐ (a) Applicant petitions for an extension of time under 37 CFR 1.136 for the total number of months checked below:

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	Ext. Mos.	Large entity	Small entity
<input type="checkbox"/>	one month	\$ 120.00	\$ 60.00
<input type="checkbox"/>	two months	\$ 450.00	\$ 225.00
<input type="checkbox"/>	three months	\$1,020.00	\$ 510.00
<input type="checkbox"/>	four months	\$1,590.00	\$ 795.00
<input type="checkbox"/>	five months	\$2,160.00	\$1,080.00

Extension fee due with this request: \$\_\_\_\_\_

Method of Payment:

Check enclosed in the amount of \$\_\_\_\_\_

If an additional extension of time is required, please consider this a petition therefor.

(Check and complete the next item, if applicable)

- ☐ An extension for \_\_\_\_\_ months has already been secured and the fee paid thereof of \$\_\_\_\_\_ is deducted from the total fee due for the total months of extension now requested. Extension fee due with this request \$\_\_\_\_\_.

OR


- ☒ (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition for extension of time.

6. ☒ If any additional fee for claims or extension of time is required, charge Account No. 23-3000.

Respectfully submitted,

WOOD, HERRON & EVANS, L.L.P.

By:

  
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**Enclosed:**

Fax Cover Sheet containing Certificate of Facsimile Transmission (1 page)  
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Page 2 of 2  
Serial No. 09/932,140  
Transmitted for Amendment of March 2, 2006  
IBM Docket: ROC920000284US1  
WH&H IBM/178  
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IBM/178  
Confirmation No. 5139

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brian Eric Bakke et al.

Art Unit: 2113

Serial No.: 09/932,140

Examiner: Joseph D. Manoskey

Filed: August 17, 2001

Atty. Docket No.: IBM/178

For: METHOD AND APPARATUS FOR PROVIDING REDUNDANT  
ACCESS TO A SHARED RESOURCE WITH A SHAREABLE SPARE  
ADAPTERAMENDMENT AND RESPONSEMail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the Office Action dated December 2, 2005, please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks begin on page 6 of this paper.

Page 1 of 9  
Serial No. 09/932,140  
Amendment and Response dated March 2, 2006  
Reply to Office Action of December 2, 2005  
IBM Docket ROC920000284US1  
WH&E IBM/178  
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